



Nevada State Board of Pharmacy

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BOARD MEETING

at the

Las Vegas Chamber of Commerce
6671 Las Vegas Blvd South
Las Vegas,

October 12 & 13, 2011

The meeting was called to order at 9:00 a.m. by Beth Foster, Board President.

Board Members Present:

Keith Macdonald
Russell Smith

Beth Foster
Jody Lewis

Cheryl Blomstrom
Kam Gandhi

Board Members Absent:

Kirk Wentworth

Board Staff Present:

Larry Pinson

Jeri Walter

Carolyn Cramer

Rose Marie Reynolds

PUBLIC COMMENT

October 12, 2011

There was no public comment.

October 13, 2011

Dan Luce, from Walgreens, took the opportunity to thank Keith Macdonald for bringing the reality of the working pharmacist to the Board and noted that he would be missed.

CONSENT AGENDA

1. Approval of September 14-15, 2011, Minutes for Possible Action

Applications for Out-of-State MDEG – Non Appearance for Possible Action:

- A. Capitol Medical Supply, LLC – Dunedin, FL

- B. NovaVision, Inc. – Boca Raton, FL
- C. Orthopedic Resources, Inc. – Tulsa, OK
- D. SPS - Alpharetta, GA
- E. United Diabetic Supplies, Inc. – N Palm Beach, FL
- F. Universalmed Supply – Duncanville, TX
- G. Voice Rx, Inc. – Charlotte, NC
- H. Words Plus Inc. – Lancaster, CA

Applications for Out-of-State Pharmacy – Non Appearance for Possible Action:

- I. Accredo Health Group, Inc. – Richmond, CA
- J. BioRx, LLC – Scottsdale, AZ
- K. DCA Pharmacy – Nashville, TN
- L. Diplomat Pharmacy Services – Flint, MI
- M. Hellertown Pharmacy – Hellertown, PA
- N. Med-Care Pharmacy – Deerfield Beach, FL
- O. Providence Specialty Pharmacy Services – Portland, OR
- P. Troy Pharmacy – Pittsburgh, PA

Application for Nevada MDEG – Non Appearance for Possible Action:

- Q. Hill-Rom Company, Inc. – Sparks

Applications for Nevada Pharmacy – Non Appearance for Possible Action:

- R. Access Healthcare Staffing & Recruitment, Inc. – Las Vegas
- S. Physicians' Surgery Center of Nevada – Carson City
- T. Walgreens #13900 – Las Vegas
- U. Walgreens #15103 – Las Vegas

Applications for Out-of-State Wholesaler – Non Appearance for Possible Action:

- V. BD Distribution Center – Four Oaks, NC
- W. Broughton Pharmaceuticals, LLC – Savannah, GA
- X. Dendreon – Morris Plains, NJ
- Y. Diplomat Pharmacy Services – Flint, MI
- Z. DSC Logistics, Inc. – McDonough, GA
- AA. Edgemont Pharmaceuticals, LLC – Austin, TX
- BB. HHI Enterprises, Inc. – Rancho Cucamonga, CA
- CC. Kadmon Pharmaceuticals, LLC – Warrendale, PA
- DD. Medline Industries, Inc. – Lathrop, CA
- EE. Medline Industries, Inc. – Salt Lake City, UT
- FF. Medline Industries, Inc. – San Bernardino, CA
- GG. Merz Aesthetics, Inc. – Sturtevant, WI
- HH. RGH Enterprises, Inc. – Dinsmore, FL
- II. RGH Enterprises, Inc. – Elgin, IL

- JJ. RGH Enterprises, Inc. – Ft. Worth, TX
- KK. RGH Enterprises, Inc. – Halfmoon, NY
- LL. RGH Enterprises, Inc. – Tualatin, OR
- MM. RGH Enterprises, Inc. – Twinsburg, OH

The consent agenda applications and supporting documents were reviewed.

NOTE: Russ Smith disclosed that he works for Walgreens however it will not affect his vote on items T and U.

Board Action:

Motion: Keith Macdonald found the consent agenda application information to be accurate and complete and moved for approval.

Second: Cheryl Blomstrom

Action: Passed Unanimously.

Discussion:

Cheryl Blomstrom noted that the minutes did not reflect what she said during Public Comment with reference to being one of the first to allow CII electronic prescribing. Board staff indicated that she did say that on the record. Ms. Blomstrom would like it noted that she meant that she wants the Board to be prepared to allow CII electronic prescribing, not necessarily be first, when CII electronic prescribing is allowed by the DEA.

Motion: Cheryl Blomstrom moved to approve the minutes with the referenced clarification.

Second: Kam Gandhi

Action: Passed Unanimously

REGULAR AGENDA

2. Discipline for Possible Actions:

A. Gary A. Hart II, PT (11-064-PT-S)

NOTE: Jody Lewis recused from participation in this matter as she works for CVS and participated in the investigation.

Even though Mr. Hart was not present, Carolyn Cramer called Don Dugger to testify.

Don Dugger, CVS loss prevention, appeared and was sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer presented a copy of the returned letter sent to Mr. Hart advising him of the time of his appearance marked by the postal service Return to Sender, Not Deliverable as Addressed, Unable to Forward, and asked that it be marked as Exhibit A. Ms. Cramer presented Mr. Hart's written statement admitting to the theft of \$320.00 in cash from CVS, and asked that it be marked as Exhibit B. She also presented a document of the loss from the cash register and asked that it be marked as Exhibit C.

All three Exhibits were accepted into the record.

Mr. Dugger testified regarding his procedures that led to finding that Mr. Hart was the person responsible for causing shortages in the cash from the pharmacy at CVS #5144.

Board Action:

Motion: Cheryl Blomstrom moved to find Gary Hart guilty of the alleged violations.

Second: Kam Gandhi

Action: Passed Unanimously

Motion: Kam Gandhi moved to revoke Gary Hart's pharmaceutical technician registration.

Second: Cheryl Blomstrom

Action: Passed Unanimously

B. Adrian Romero, PT

(11-082-PT-S)

NOTE: Jody Lewis recused from participation in this matter as she works for CVS and participated in the investigation.

Carolyn Cramer presented the green card indicating that Mr. Romero had received the Accusation and asked it to be marked Exhibit A and the notice of today's hearing marked as Exhibit B. She presented Mr. Romero's written statement and marked it Exhibit C and the DEA form 106 marked as Exhibit D. The Exhibits were accepted into the record.

Don Dugger, CVS loss prevention, appeared and was sworn again by President Foster prior to answering questions or offering testimony.

Mr. Dugger testified regarding his procedures that led to determining that Mr. Romero was the person that had been stealing drugs from CVS #2929. Mr. Romero admitted in

a written statement that he had taken approximately 50 to 75 stock bottles of hydrocodone 10/500 and 20 to 50 stock bottles of Alprazolam 2 mg. tablets from CVS #2929 to supplement his income because his family was having financial problems.

President Foster directed Board staff to include a Discussion and Determination item for the next Board meeting to discuss drug diversion from retail and hospital pharmacies.

Board Action:

Motion: Russ Smith moved to find Adrian Romero guilty of the alleged violations.

Second: Cheryl Blomstrom

Action: Passed Unanimously

Motion: Cheryl Blomstrom moved to revoke Adrian Romero's pharmaceutical technician registration.

Second: Russ Smith

Action: Passed Unanimously

C.	Krystal Satran, R.Ph	(11-052-RPH-S)
D.	Sav-On #6043	(11-052-PH-S)

NOTE: Kam Gandhi recused from participation in this matter as he is employed by Albertson's/Sav-On. Jody Lewis disclosed that she knows Krystal Satran from when she worked for Albertson's/Sav-On, however she feels she can participate impartially in this matter.

Carolyn Cramer advised the Board that she, Jay Bogdan, Sav-On's attorney, and Ms. Satran had signed a Stipulated Agreement and she read it into the record.

Ms. Satran had verified and dispensed a prescription for eye drops that was misfilled with ear drops with directions to instill one to two drops in each eye every four hours. Ms. Satran has agreed to pay a fine of \$1,000.00 and be required to complete a continuing education course on patient counseling. Sav-On #6043 will receive a letter of reprimand.

Board Action:

Motion: Keith Macdonald moved to accept the Stipulated Agreement as presented.

Second: Jody Lewis

Action: Passed Unanimously

E.	Heidi Wickham, R.Ph	(11-030-RPH-S)
F.	Walgreens #05369	(11-030-PH-S)

NOTE: Russ Smith disclosed that he has no knowledge of Ms. Wickham or Walgreens #05369 and feels he can participate impartially in this matter even though he is employed by Walgreens.

Rob Graham was present to represent Walgreens and advised that he and Ms. Cramer have dismissed the charges against Ms. Wickham in this matter. Mr. Graham explained that since an unknown employee returned to stock a bottle that was labeled metaxalone but was originally misfilled with Metformin that caused the error in dispensing Ms. Beam's prescription for metaxalone with both metaxalone and Metformin, Ms. Wickham should not be held responsible in this instance.

Carolyn Cramer advised the Board that a Stipulated Agreement had been signed and she read the Agreement into the record. Walgreens #05369 will participate in the Your Success Rx program and, as the managing pharmacist, Ms. Wickham will work with the program administrator. Walgreens #05369 will pay a fine of \$1,000.00 for this ingested misfill.

Board Action:

Motion: Keith Macdonald moved to accept the Stipulated Agreement as presented.

Second: Kam Gandhi

Action: Passed Unanimously

3. Application for Nevada Pharmacy - Appearance for Possible Action:

All in One Pharmacy – Las Vegas

Edgar Gonzalez, George Ross and Ricardo Farro appeared and were sworn by President Foster prior to answering questions or offering testimony.

They have a pharmacy in California that serves HIV positive patients. They have been in business for seven years and they serve a patient base of approximately 250 patients in California. They explained that Mr. Yee will be the managing pharmacist in Nevada and will be moving once the pharmacy is operational. They explained that they have a patient advocacy program for their patients. When asked who they use to obtain their drugs, they explained that they order their drugs from HD Smith at the moment, however are looking into AmeriSource Bergen.

Board Action:

Motion: Kam Gandhi moved to accept the application for All In One Pharmacy.

Second: Russ Smith

Action: Passed Unanimously

4. Applications for Out-of-State Pharmacy – Appearance for Possible Action:

A. Axtell Pharmacy – Pilot Point, TX

Axtell Pharmacy withdrew their application for out of state pharmacy.

B. Equinox Healthcare – Ellicott City, MD

Equinox Healthcare rescheduled their appearance to the January 2012 Board meeting.

C. Retail Pharmacy Customer Care Center – Cumberland, RI

NOTE: Jody Lewis recused from participation in this matter as she is employed by CVS.

Board staff advised the Board that it was not necessary for Retail Pharmacy Customer Care Center to appear and asked for a motion.

Board Action:

Motion: Russ Smith moved to accept the application for Retail Pharmacy Customer Care Center.

Second: Cheryl Blomstrom

Action: Passed Unanimously

D. University Specialty Pharmacy – Commerce, CA

Scott Shoemaker and Doug Cann appeared and were sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer asked why Mr. Silber was not present because she had specific questions for him that Mr. Shoemaker and Mr. Cann may not be able to answer. Apparently it was not convenient for Mr. Silber to appear at this time. Ms. Cramer indicated that there was a \$325,000.00 fine imposed in California that was not disclosed on the application for University Specialty Pharmacy. Ms. Cramer suggested

that the Board postpone making a decision on this application until the January 2012 Board meeting so Mr. Silber can be present to address these issues and explain why the California matter was not disclosed on this application.

President Foster suggested that a new application would be appropriate since this application was not completed properly.

Board Action:

Motion: Russ Smith moved to table the application for University Specialty Pharmacy to the January 2012 Board meeting.

Second: Jody Lewis

Action: Passed Unanimously

5. Applications for Nevada MDEG – Appearance for Possible Action:

A. Global DME – Las Vegas

No one appeared to represent Global DME.

Board Action:

Motion: Keith Macdonald moved to deny the application for Global DME.

Second: Kam Gandhi

Action: Passed Unanimously

B. Pulmocare Respiratory Services – Las Vegas

Bruce Gingle and Nicholas Graves appeared and were sworn by President Foster prior to answering questions or offering testimony.

They described their facility as a respiratory skill practice serving children and long term care facilities. They have a medical director and respiratory therapist on staff and they service their equipment. When asked if they carry ventilators they indicated that they do which is why they have a respiratory therapist on staff.

Board Action:

Motion: Russ Smith moved to accept the application for Pulmocare Respiratory Services pending review of the respiratory therapist's records and correction to the application to include Assistive Equipment and Life Sustaining Equipment.

Second: Cheryl Blomstrom

Action: Passed Unanimously

6. Requests for Pharmacist License – Appearance for Possible Action:

A. Robert Brower II

Robert Brower appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Brower gave an open, honest, concise history of his past alcohol problems to the Board. He takes complete responsibility for his past actions and has been sober for over 15 years. Mr. Brower indicated that he currently has active unrestricted licenses in 14 states, still has to take the MPJE for South Dakota and Oklahoma and has been approved for reciprocity to West Virginia. The Board questioned Mr. Brower and he answered their questions satisfactorily.

Board Action:

Motion: Jody Lewis moved to accept Mr. Brower's application for reciprocity to Nevada.

Second: Keith Macdonald

Action: Passed Unanimously

B. Nabil L. Zawaideh

Nabil Zawaideh appeared and was sworn by President Foster prior to answering questions or offering testimony.

The Board questioned Mr. Zawaideh extensively about a felony complaint that was filed against him in 1988. In 1991 Mr. Zawaideh pled nolo contendere to ten counts of felony Medicaid fraud. Mr. Zawaideh admitted that his license was suspended for six months and was open about the charges against him. He stated that he was working in a pharmacy owned by his son, Save-Plus, in Pontiac, Michigan. Once his suspension was lifted he has been working continually. There was discussion about the exclusion of working in a pharmacy or facility that bills Medicare or Medicaid and he explained that the exclusion of five years had passed. Kam Gandhi looked Mr. Zawaideh up on the federal list and his name was not on the exclusion list.

Board Action:

Motion: Keith Macdonald moved to approve Mr. Zawaideh's application for reciprocity to Nevada.

Second: Jody Lewis

Action: Passed Unanimously

7. Requests for Controlled Substance Registration – Appearance for Possible Action:

A. David L. Packer, MD

Carolyn Cramer explained that Dr. Packer was asked to appear to explain the recent charges in Florida for practicing without a license. There were five counts against him including operating a health care clinic without a license, owning a nonregistered pain management clinic and prescribing or dispensing controlled substances from the nonregistered pain management clinic.

Dr. Packer tried to explain the circumstances, however the Board had difficulty with Dr. Packer's explanations.

Board Action:

Motion: Keith Macdonald moved to remand this application back to Board staff to come to an amenable agreement for a restricted license.

Second: Kam Gandhi

Action: Passed Unanimously

B. Mohamed Saleh, MD

Continued to the January 2012 Board meeting.

C. Richard S. Teh, MD

Dr. Teh's application was accepted and he was not required to appear.

8. Request for Practitioner Dispensing Registration - Appearance for Possible Action:

Richard L. Bailey, MD

Dr. Bailey has rescheduled to the January 2012 Board meeting.

9. Requests for Pharmaceutical Technician License – Appearance for Possible Action:

A. Roberto R. Beltran

Roberto Beltran appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Beltran failed a drug test because he had taken a Tylenol with codeine that was prescribed for his mother when he was sick. Mr. Beltran was appearing to request reinstatement of his pharmaceutical technician in training registration so he can complete his classes at Pima Medical Institute.

It was explained to Mr. Beltran that he cannot have a PTT registration without being enrolled in a school or if he has a job in a pharmacy where the managing pharmacist would be responsible for his training. Since the school released him from the program he would have to be reinstated there before the Board can consider reinstatement of the PTT registration.

B. Alexander G. Frankos

Alexander Frankos appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Frankos advised the Board that he is now enrolled in the pharmacy school in southern Nevada and explained that he used to be enrolled at Anthem in the pharmaceutical technician program. He would like to complete his program with Anthem so he could work in the pharmacy while going to school to become a pharmacist. Mr. Frankos testified that he had a DUI in 2006 and that he broke his back in 2008. At that time he re-evaluated his lifestyle and does not use marijuana or any drugs now. Mr. Frankos indicated that Anthem would take him back into the program if the Board would reinstate his PTT registration.

Melba Reynolds, extern coordinator for Anthem, and Monique Wincher, teacher for Anthem's pharmaceutical technician program, appeared and were sworn by President Foster prior to answering questions or offering testimony.

Ms. Reynolds voiced her appreciation for Mr. Frankos leadership in the pharmaceutical technician program and noted that he was always very positive and ready to assist others.

Ms. Wincher testified that Mr. Frankos was an excellent student and always on top of his assignments and attained top grades throughout the program.

Both Ms. Reynolds and Ms. Wincher recommended that Mr. Frankos be given his pharmaceutical technician in training registration so he can complete the course at Anthem.

Board Action:

Motion: Cheryl Blomstrom moved to approve reinstatement of Mr. Frankos pharmaceutical technician in training registration pending a positive PRN-PRN evaluation reported to Board staff.

Second: Kam Gandhi

Action: Passed Unanimously

C. Vincent A. McClure

Vincent McClure appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. McClure testified that he was currently working at Wellcare Pharmacy as a driver and he would like to become a pharmaceutical technician. His boss, Jim Thompson, has encouraged him to pursue a pharmaceutical technician in training registration so he can teach him the skills needed in the pharmacy. Mr. McClure indicated that he had been arrested in 2008 for child neglect. He had two dangerous drugs in his wallet that were prescribed for his roommate, however when he broke his neck he borrowed them from his friend, even though he had a prescription for his own medication. The dangerous drug charge was dismissed by the court.

President Foster asked Mr. McClure if Mr. Thompson was aware of his problems with law enforcement and he indicated that he was. When asked why Mr. Thompson was not present to testify on his behalf, Mr. McClure indicated that Mr. Thompson was working alone at the pharmacy.

Carolyn Cramer offered to contact Mr. Thompson by telephone. Ms. Cramer indicated that she spoke with Mr. Thompson, and he could not appear because he was working alone, however he indicated that he is comfortable with training Mr. McClure and that he trusts him implicitly.

Board Action:

Motion: Russ Smith moved to accept the application for pharmaceutical technician in training for Mr. McClure

Second: Kam Gandhi

Action: Passed Unanimously

D. Israel Ochoa-Tirado

Israel Ochoa-Tirado appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Ochoa testified that he was at a party and had eaten a cookie that had been baked with marijuana in it. He was unaware of this until after he had eaten the cookie and was told. Mr. Ochoa was randomly drug tested at Pima, where he was enrolled in the pharmaceutical technician program, and tested positive for marijuana. Mr. Ochoa indicated that if he had known there was marijuana in the cookie he would never have eaten it and jeopardized his career goals in any way.

The Board recommended that Mr. Ochoa have a PRN-PRN evaluation and be prepared to bring someone from Pima to testify on his behalf and acknowledge that they will allow him to return to the pharmaceutical technician program.

E. Trina D. Trinidad

Trina Trinidad appeared and was sworn by President Foster prior to answering questions or offering testimony.

Carolyn Cramer reviewed the Board's history with Ms. Trinidad. In 2006 Ms. Trinidad was terminated from Heritage College's pharmaceutical technician program because she failed to provide a urine analysis. At that time Ms. Trinidad testified that she had an emergency and could not test immediately and was told when she returned to test at approximately midnight that she could not test. In 2008 Ms. Trinidad appeared again requesting a PTT registration, however the store that was going to employ her closed and consequently she had no opportunity for work. She also indicated on her application that there were warrants out for her arrest and that she had spent 25 days in jail for traffic tickets that she could not pay. She also indicated that she was charged with hitting her mother-in-law but stated that she was cleared of those charges.

Ms. Trinidad testified that she has an active California pharmaceutical technician license and that she is in good standing in California.

Ms. Trinidad was advised that she would need to provide Board staff with an amended application, checking the boxes appropriately, and provide a copy of her Active pharmaceutical technician registration from California. There would be no additional fees.

Board Action:

Motion: Kam Gandhi moved to continue this matter to the January 2012 Board meeting to give Ms. Trinidad an opportunity to provide Board staff with a pharmaceutical technician application that has been appropriately completed and a copy of her Active California registration.

Second: Cheryl Blomstrom

Action: Passed Unanimously

10. Request for Reinstatement of Pharmacist License – Appearance for Possible Action:

Michael J. Adams

Michael Adams appeared and was sworn by President Foster prior to answering questions or offering testimony.

Mr. Adams advised the Board that he is currently self employed and is working on his Masters degree. He indicated that he obtained his PharmD in 2004 after the Nevada Board revoked his license. Mr. Adams indicated that he was confused about how to go about asking for reinstatement of his Nevada license. He maintained that he was present to get direction from the Board because no one he spoke with was able to tell him what to do.

The Board suggested that before he request reinstatement again that he gather supporting documentation of any PRN-PRN-like programs he has been involved with in Iowa since his revocation, obtain letters of recommendation from his supporters, and bring proof of participation in support groups and testimony from his sponsor if he has one.

11. Surescripts Presentation for Possible Action:

Ken Whittemore

Ken Whittemore from Surescripts made a presentation to the Board on the electronic prescribing of controlled substances. The presentation included the current status of the program, the certification process in general, and the general working of the system.

12. CE Committee Report for Possible Action:

Larry Pinson advised the Board that the CE Committee met and three continuing education programs were approved.

- A. Interprofessional Faculty Training Program in Integrated Management of Type II Diabetes and Comorbidities – 6 hours of CE credits
- B. Quality Assurance and Legal/Regulatory Topics – 3 hours plus 1 hour of Nevada law for a total of 4 CE credits
- C. ISMP Risk Assessment for Retail – 4 hours of CE credits

Mr. Pinson asked for a motion to approve.

Board Action:

Motion: Russ Smith moved to approve the recommended CE programs.

Second: Keith Macdonald

Action: Passed Unanimously

13. Discussion and Determination for Possible Action:

A. Uncodified Regulations

Larry Pinson advised that Cheryl Blomstrom had requested this topic be placed on the agenda for discussion. Ms. Blomstrom indicated that it was unacceptable to have 33 regulations that have yet to be codified by the Legislative Counsel Bureau. Our law book has not been updated since 2007 and you cannot get the updated laws on the website. Ms. Blomstrom asked Ira Hansen to look into this problem and she has not heard back from him, which she found disappointing. Larry Pinson indicated that all Boards are in the same position we are in, and there is no timeline as to when our laws, or any other Boards laws, will be codified. Cheryl Blomstrom volunteered to seek answers to this unacceptable situation.

B. Electronic Prescribing of CII Prescriptions

It was determined that a workgroup would be established and a meeting set up to further discuss the merits of electronic prescribing of CII prescriptions. Names were taken of interested parties and President Foster and Larry Pinson will select a group and establish a meeting date that would be equitable to all involved.

14. General Counsel Report for Possible Action:

Report on Meeting with Governor's Office and AG Regarding Med Spas and other Practices

Carolyn Cramer, along with representatives from the Medical Board, Nursing Board and Cosmetology Board met with the Governor's and AG's offices to discuss regulatory issues in Med Spas. The purpose of the meeting was to advise both offices of the unregulated, sometimes unsafe and often unethical activities in this arena and to point out that there really is not an agency overseeing these practices. Each of the four Boards represented has a small piece of regulatory oversight but there is no agency to pull it all together. Some facilities are buying "Botox" over the internet because it is cheaper, but in reality Botox can only be purchased from the manufacturer, Allergan, and the facilities are using misbranded or counterfeit products on their unsuspecting patients. Larry Pinson's resolution that was adopted at the District 6, 7 and 8 meeting is a start at bringing the problem to the forefront. Mr. Pinson is also meeting with the

Cosmetology Board, both in the North and in the South, to teach their inspectors what to watch for.

15. Executive Secretary Report for Possible Action:

A. Financial Report

Larry Pinson gave the financial report to the Board's satisfaction.

B. Temporary Licenses

One temporary license has been granted since the last Board meeting.

C. Staff Activities

1. CE in Fallon (9/27)

Mr. Pinson and Joe Depczynski are going to do an early morning Nevada law CE in Fallon on September 27th.

2. NABP Executive Office Forum

Some of the topics discussed were PBM's, drug abuse, internet pharmacies from Canada – we only have 2 left, the Dental Association problem with teeth whitening kiosks, the Rite Aid 15 minute guarantee, in North Dakota they now license the med-management practices separately from the pharmacies so they can get an NPI number so they can bill Medicaid for the service, pharmacy competency exams, dwindling Board resources in most states, licensing of dispensing practitioners, and pharmacy robberies.

3. NABP District 6,7,8 Meeting – Seattle

Larry Pinson advised the Board that the Nevada contingent submitted a resolution regarding Med Spa's that was adopted by all three Districts.

4. Upcoming CE

Mr. Pinson indicated that there was a lot of CE being presented during the month of October throughout Nevada for pharmacists so they can get their Nevada law before the end of the month for the renewal of their licenses.

5. FARB Conference

Carolyn Cramer attended the FARB Conference, along with Rose Marie Reynolds from the AG's office. Ms. Cramer and Ms. Reynolds gave examples of the case problems discussed at the conference.

D. Reports to Board

1. Ting email

Daniel Ting wrote an e-mail to the Board to thank us for having the Nevada law online through the Pharmacist's Letter.

E. Board Related News

1. Mr. Pinson advised the Board that he and Jeri Walter would be attending the Executive Director and Administrator meeting in Carson City on November 3rd at the Office of the Attorney General. Topics include administrative hearings and procedures, ethics and the open meeting laws.

2. Mr. Pinson distributed a flyer to the Board that Keith Marcher sent regarding disclosure and abstaining from matters on the agenda.

3. President Foster has learned that the first woman pharmacist in Nevada is living in Reno and she is researching to find more information on her.

F. Activities Report

16. Next Board Meeting:

December 7 & 8, 2011 – Reno

17. Public Comments and Discussion of and Deliberation Upon Those Comments:

October 12, 2011

Keith Macdonald thanked the Board for their kind comments on his leaving the Board.

Melissa Mentol, a student at a pharmaceutical technician school, indicated that she has concerns for patients that go to Med Spas or the dentist and do not know what they are receiving. She asked what the reality of manufacturing test strips would be so they could test products before ingesting them. Larry Pinson indicated that there are too many drugs on the market to even attempt such a task and there is no research and development team available to take on such a daunting project. Even if there is a trace of a drug how would you determine if it is medically effective – however it is an interesting concept.

October 13, 2011

Larry Pinson voiced a problem Board staff has noticed in sending out notices to pharmacies advising when a practitioner has lost his/her DEA license. Many pharmacies continue to fill controlled substance new and refill prescriptions, even after notification has been sent. Mr. Pinson would like to discuss this problem with chain store upper management to find out whom to send these notices to get these practitioners out of their system and thus halting the filling of these unlawful prescriptions.

Blank